

Remark

Applicant requests reconsideration of this application. No claims have been amended. No claims have been cancelled. Therefore, claims 26-72 are present for examination.

35 U.S.C. §102 Rejection

Kravets

The Examiner has rejected claims 56-72 under 35 U.S.C. §102 (e) as being anticipated by Kravets, U.S. Patent No. 6,363,377 (“Kravets”). This appears to be essentially the same as the rejection from which Applicant appealed last year. The Examiner is respectfully referred to Applicant's unanswered appeal brief for a complete response to this rejection. The Examiner's reference to Kravets Column 7, line 61 to Column 8, line 16 is inapposite and has been fully addressed in Applicant's unanswered appeal brief in Section VIII.E.

35 U.S.C. §103 Rejection

Haitsuka in view of Davis

The Examiner has rejected claims 26-28, 30-35, 37-38, 40-45, 47, 49, 51-52 and 54 under 35 U.S.C. §103 (a) as being unpatentable over Haitsuka, U.S. Patent No. 6,505,201 (“Haitsuka”) in view of Davis, U.S. Patent No. 6,269,361 (“Davis”). This rejection is identical to the rejection from which Applicant appealed except for the addition of Davis. Davis was fully discussed in Applicant's amendment of May 3, 2004. These arguments have not yet been addressed by the Examiner..

35 U.S.C. §103 Rejection

Haitsuka in view of Davis and further in view of Ryan

The Examiner has rejected claims 29, 39, 46 and 53 under 35 U.S.C. §103 (a) as being unpatentable over Haitsuka in view of Davis and further in view of Ryan, U.S. Patent No. 6,421,675 (“Ryan”). This rejection relies on the combination of Haitsuka and Davis and fails for the reasons provided above.

35 U.S.C. §103 Rejection

Haitsuka in view of Davis and further in view of Kravets

The Examiner has rejected claims 36, 48, 50 and 55 under 35 U.S.C. §103 (a) as being unpatentable over Haitsuka in view of Davis and further in view of Kravets, U.S. Patent No. 6,363,377 (“Kravets”). With the exception of adding Davis as a reference, this rejection is identical to that appealed from. The Examiner is referred again to Section VIII.E. of Applicant's unanswered appeal brief.

Conclusion

Applicant submits that the rejections have been overcome by the earlier remarks already of record in the case and referred to above, and that all of the claims remain in condition for allowance. Accordingly, Applicant requests either that Applicant's position be addressed, that the application be allowed to go to appeal, or, preferably, that the rejections be withdrawn and the claims be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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